

From: Richard Bullington-McGuire
To: Microsoft ATR
Date: 1/23/02 10:29am
Subject: I oppose the Proposed Final Judgement

The Proposed Final Judgement in United States v. Microsoft does not offer adequate relief to the plaintiff and the American people. Its definitions of how Microsoft must share API information with its competitors are too narrowly tailored.

It fails to consider Windows-compatible operating systems, and allows Microsoft to stifle the development of Open Source software by imposing restrictive licensing terms on its APIs and software development kits. The definition of Windows is too restrictive -- it should extend to all Microsoft Win32 API implementations, including Windows CE and the Xbox.

The settlement should address more of the issues raised in the findings of fact, including disclosure of file formats that form part of the Applications Barrier to Entry (See "Findings of Fact", ?20 and ?39).

A summary of the major defects in the settlement (and some proposed amendments) may be found here:

<http://www.kegel.com/remedy/remedy2.html>

Overall, the settlement is not in the public interest and I urge the court to reject the Proposed Final Judgement.

--

Richard Bullington-McGuire <rbulling@obscure.org>
Fearless Leader of The Obscure Organization <<http://www.obscure.org/>>
PGP key IDs: RSA: 0x93862305 DH/DSS: 0xDAC3028E